

REMARKS

The claims have not been amended. Accordingly, independent claims 18 and 19 are currently pending in the application.

Applicant respectfully requests reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Oath/Declaration Objection

In the Office Action, the Oath/Declaration is objected to since "applicant did not check the yes under priority claimed." A supplemental Application Data Sheet has been filed to overcome this objection.

Drawing Objection

In the Office Action, the drawings were objected to as failing to comply with 37 C.F.R. §1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: On page 9, line 19, the reference number 30b is mentioned in the specification, but is not shown in either drawing 2I or 3I.

Figure 2I has been amended to include reference number 30b as shown in the attached drawing sheet. Reference number 30b is not included in Figure 3I because it is a cross-sectional view that does not show the corresponding component.

Accordingly, Applicant respectfully requests withdrawal of the drawing objection.

Abstract Objection

In the Office Action, the Abstract was objected to because in line 2 of the abstract, it is suggested that the applicant remove and rephrase the word "comprising" since it is legal

phraseology often used in patent claims. Also, the abstract currently has 250 words. It is suggested that the applicant shorten the abstract to between 50-150 words.

Please cancel the previous Abstract and replace the Abstract with the New Abstract on the attached sheet.

Thus, Applicant respectfully requests withdrawal of the objection to the Abstract.

Rejection of Claims under Double Patenting

Claims 18 and 19 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 7, 8, and 12 of U.S. Patent No. 6,706,573 issued to So ("So") in view of U.S. Patent Application Publication No. 2001/0005596 applied for by Lee, *et al.* ("Lee").

Applicant has submitted a terminal disclaimer to overcome this rejection. Accordingly, Applicant respectfully requests withdrawal of this double patenting rejection of claims 18 and 19.

Applicant notes that "[t]he filing of a terminal disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection [because] the filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection" (MPEP § 804.02.II, citations omitted). Hence, the terminal disclaimer included with this reply simply serves the statutory function of removing the double patenting rejection without raising a presumption or estoppel on the merits of the rejection.

CONCLUSION

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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